

REMARKS

Claims 1-10 were presented for examination in the present application. Claims 1-22 and 24-42 were presented for examination in the present application. The instant amendment cancels claims 5, 7, 28, and 31 without prejudice. Thus, claims 1-4, 6, 8-22, 24-27, 29-30, and 32-42 are presented for consideration upon entry of the instant amendment. Claims 1, 24, and 42 are independent.

Applicants acknowledge with appreciation the allowance of independent claim 42.

In addition, Applicants acknowledge with appreciation the indication that claims 13-22, 36-37, and 39-41 contain allowable subject matter.

Claim 12 has been amended to correct an obvious error. Applicants submit that this amendment merely makes explicit what had been implicit in the claim.

Independent claims 1 and 24, as well as claims 4-5, 7-8, 24-28, 31-32, and 38 were rejected under 35 U.S.C. §102 over European Patent Publication No. EP 1 178 529 to Matsumoto et al. (Matsumoto). Dependent claims 2-3, 6, 9-12, 29, 30, and 33-34 were rejected under 35 U.S.C. §103 over Matsumoto in view of US Patent No 5,780,163 to Camilletti et al. (Camilletti).

Independent claims 1 and 24 have been clarified to render these rejections moot. Specifically, claims 1 and 24 have been amended to recite that the copy-protect layer comprises "an at least binary system of glass, and wherein the at least binary system of glass is a material that represents a synthesis of at least two chemical compounds".

Support for these amendments can be found at least in claims 5, 7, 28, and 31, which have been cancelled, as well as in the specification at least at page 7, lines 5-10.

Applicants submit that Matsumoto alone or in combination with Camilletti does not disclose or suggest clarified claims 1 and 24.

The Office Action asserts that Matsumoto teaches a process for producing a copy protection for electronic circuits, where a protective film is formed from silicon oxide or silicon nitride. The Office Action further asserts that these compounds would meet the limitation of a binary system.

However, Applicants submit that the at least binary system as defined in amended claims 1 and 24 differs from the materials listed in Matsumoto. For example, silicon oxide is not a synthesis of two compounds, but rather a synthesis of two elements, i.e. silicon and oxide. In other words, silicon oxide is a compound but not a synthesis of two or more compounds.

Further, the Office Action asserts that the silicon oxide layer according to Matsumoto would be a form of silicate glass. However, Applicants respectfully submit that silicon oxide does not necessarily form amorphous layers. Rather, as in the case of silicon nitride, the silicon oxide layers may be crystalline as well. Accordingly, Matsumoto even fails to disclose or suggest a copy-protect layer of glass as claimed.

Camilletti also fail to teach glasses as copy protection layers. Rather, the Office Action merely asserts that Camilletti discloses etching of a protective layer.

Accordingly, Applicants submit that clarified claims 1 and 24, as well as claims 2-4, 6, 8-22, 25-27, 29-30, and 32-42 that depend therefrom, are not disclosed or suggested by the cited art. Claims 1-4, 6, 8-22, 24-27, 29-30, and 32-42 are therefore in condition for allowance. Reconsideration and withdrawal of the rejections to the claims are respectfully requested.

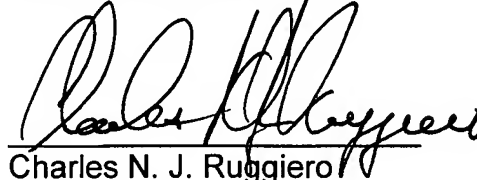
In view of the above, it is respectfully submitted that the present application is in

condition for allowance. Such action is solicited.

If for any reason the Examiner feels that consultation with Applicants' attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Charles N. J. Ruggiero", written over a horizontal line.

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